

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MICHAEL LOUNSBURY,)	
)	
Petitioner,)	
)	Civil No. 99-1135-CO
v.)	
)	ORDER
S. FRANK THOMPSON,)	
Superintendent, Oregon State)	
Penitentiary,)	
)	
Respondent.)	
_____)	

Magistrate Judge John P. Cooney filed Findings and Recommendation on November 1, 2004, in the above entitled case. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When either party objects to any portion of a magistrate judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, Inc.,

656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Petitioner has timely filed objections. I have, therefore, given de novo review of Magistrate Judge Cooney's rulings.

I find no error. Accordingly, I ADOPT Magistrate Judge Cooney's Findings and Recommendation filed November 1, 2004, in its entirety. The petition for writ of habeas corpus is denied and this case dismissed. Judgment will be entered denying the petition for writ of habeas corpus and dismissing this case with prejudice.

IT IS SO ORDERED.

DATED this 23rd day of August, 2005.


UNITED STATES DISTRICT JUDGE